

**AMENDMENT TO THE AGREEMENT
BETWEEN
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF ENERGY AND MINERAL RESOURCES
OF THE REPUBLIC OF KAZAKHSTAN
CONCERNING
THE ELIMINATION OF INFRASTRUCTURE FOR WEAPONS OF MASS
DESTRUCTION**

The Department of Defense of the United States of America and the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan, hereinafter referred to as the Parties,

Desiring to establish additional measures to prevent the proliferation of weapons of mass destruction and related equipment, materials and technology by enhancing the state border security of the Republic of Kazakhstan in order to prevent the unauthorized transfer and transportation of weapons of mass destruction and related technology and materials;

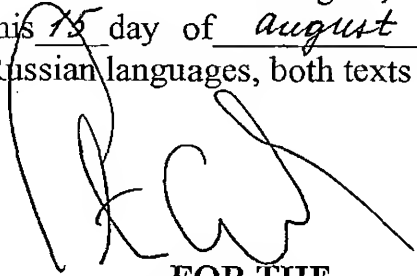
In accordance with paragraph 1 of Article II and paragraph 2 of Article VII of the Agreement between the Department of Defense of the United States of America and the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan Concerning the Elimination of Infrastructure for Weapons of Mass Destruction, dated October 3, 1995, as amended June 10, 1996, September 9, 1998, December 17, 1999, July 29, 2000, May 31, 2002, and April 2, 2003, June 28, 2004, and December 7, 2004, (hereinafter referred to as "the Agreement"), have agreed to amend the Agreement as follows:

1. Replace "one hundred million U.S. dollars" in Article III, Paragraph 1 with "one hundred eighteen million four hundred thousand U.S. dollars"; and
2. By adding the enclosed Annex B to the Agreement as an integral part thereof.


This Amendment shall enter into force upon signature and shall remain in force for the duration of the Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Amendment.

Done at Washington, this 23 day of AUGUST, 2005, and at Astana, this 15 day of August, 2005, in duplicate, each in the English and Russian languages, both texts being equally authentic.



FOR THE
DEPARTMENT OF DEFENSE
OF THE
UNITED STATES OF AMERICA



FOR THE
MINISTRY OF ENERGY AND
MINERAL RESOURCES
OF THE
REPUBLIC OF KAZAKHSTAN

**ANNEX B
TO THE AGREEMENT
BETWEEN
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
AND
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CONCERNING
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Article I

1. Pursuant to the terms of this Annex, the Department of Defense of the United States of America (hereinafter DoD) may provide assistance in preventing the proliferation of weapons of mass destruction (WMD) and related technology and materials by enhancing the state border security of the Republic of Kazakhstan to prevent the unauthorized transfer and transportation of weapons of mass destruction and related technology and materials. Toward this end, DoD may provide to the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan (MEMR), or agencies or departments of the Republic of Kazakhstan to which MEMR delegates responsibilities for implementing activities under this Annex, assistance in the form of equipment, supplies, materials, technology, training and services.

2. This Annex is an integral part of the Agreement between the Department of Defense of the United States of America and the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan Concerning the Elimination of the Infrastructure of Weapons of Mass Destruction, of October 3, 1995, as amended (the Agreement). As provided in paragraph 4 of Article I of the Agreement, all activities undertaken in accordance with this Annex shall be subject to the Agreement between the United States of America and the Republic of Kazakhstan Concerning the Destruction of Silo Launchers of Intercontinental Ballistic Missiles, Emergency Response and the Prevention of Proliferation of Nuclear Weapons of December 13, 1993, as amended. All activities undertaken by DoD under this Annex are also subject to the availability of funds appropriated in accordance with the laws of the United States of America.

3. In the event of any discrepancy between the provisions of this Annex and the provisions of any implementing arrangements hereto, the provisions of this Annex, but not Annex A to the Agreement, shall prevail.

Article II

1. Pursuant to paragraph 1 of Article II of the Agreement, MEMR hereby delegates to the Ministry of Defense of the Republic of Kazakhstan and to the Border Guard Service of the Committee for National Security of the Republic of Kazakhstan responsibility for implementation of activities undertaken under this Annex, including entering into implementing arrangements with DoD under this Annex as necessary.

2. DoD shall have the right of prior approval of the designation of any agent or subcontractor that will receive DoD assistance, either directly or indirectly, to implement the provisions of this Annex.